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MAILED

MAR 30 2011

OFFICE OF PETITIONS

In re Patent No. 6,077,007
Issue Date: June 20, 2000
Application No. 09/128,504
Filed: August 3, 1998
Title of Invention: **PICK-UP TRUCK BED
ORGANIZER AND METHOD**

ON PETITION

This is a decision on the renewed petition filed under 37 CFR 1.378(b), March 18, 2010, to accept the delayed payment of the maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this 2-month time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Commissioner.

The patent issued on June 20, 2000. The second maintenance fee due could have been paid during the period from June 20, 2007 to December 20, 2007 or, with a surcharge during the period from December 21, 2007 to June 20, 2008. Accordingly, this patent expired on June 20, 2008 for failure to timely remit the maintenance fee.

A petition to accept the delayed maintenance fee under 35 U.S.C. § 41(c) and 37 CFR 1.378(b) must be accompanied by (1) an adequate, verified showing that the delay was unavoidable, since reasonable care was taken to ensure that the maintenance fee would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent, (2) payment of the appropriate maintenance fee, unless previously submitted, and (3) payment of the surcharge set forth in 37 CFR 1.20(l)(1).

A petition filed August 24, 2009 was dismissed in a decision mailed December 23, 2009 because the fees submitted were deficient. On June 19, 2009, fees in the amount of \$1510 were submitted, of which, the maintenance fees in the amount of \$1240 were applied.

Petitioner was advised that it did not appear that Ms. Gonzales or Ms. Porter had standing to file the petition, the fees submitted were deficient and therefore, as the petition fee is jurisdictional, the Office cannot consider the substantive aspect of the petition in the absence of the petition fee.

This petition still lacks item (3) above.

While the petition for reconsideration of this decision is accompanied by the petition fee of \$400 as set forth in 37 CFR 1.17(h), the balance due for the surcharge remains unpaid. At this writing the surcharge pursuant to 37 CFR 1.20(i)(1) is set at \$700. As \$1510 was previously paid and as \$1240 for the second maintenance fee was deducted from that amount, petitioner owes \$430 to make up the difference between that which is due and that which has been paid.

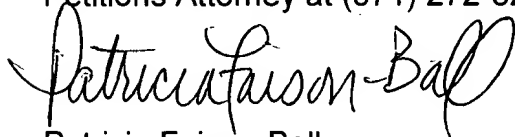
The petition cannot be addressed on the merits. No decision will be rendered in this matter as it relates to the standing issue or the whether or not the petition meets the unavoidable standard.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

The centralized facsimile number is **(571) 273-8300**.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, appearing to read "Patricia Faison-Ball". The signature is fluid and cursive, with a large, stylized initial "P".

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions